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FINAL REPORT

Vic Darchinyan v.s. Victor Burgos March 3, 2007

On February 14, 2007 Gary Shaw Promotions, a California licensed promoter, requested to hold an event on Saturday March 3, 2007 at the Home Depot Center in Carson, California.

One of the bouts held at the event was a 12 round unified world championship flyweight (112 pounds) bout between the International Boxing Federation (IBF) and International Boxing Organization (IBO) world champion Vic Darchinyan, and the mandatory IBF challenger, rated number 3, (number one and number two were vacant) Victor Burgos.

Mr. Burgos lost the bout by referee stoppage at 1:27 seconds of the last round (Round 12).

As a result of the bout Mr. Burgos suffered a potentially life threatening injury. He was transported immediately by onsite paramedics to the Harbor UCLA Medical Center in Torrance, California. Once there, he was evaluated and taken to surgery. As of today, he is in rehabilitation in his hometown of Tijuana, Mexico. Up to now he has made a miraculous recovery and although he will require follow up surgery, his prognosis is improving.

Going into the bout Mr. Darchinyan had a professional boxing record of 27-0, 21 knock outs (KOs). Mr. Burgos had a professional boxing record of 39-14-3, 23 knockouts (KOs).

When the bout was proposed, I reviewed both boxers' records. The review led me to approve the bout based on (at a minimum) the following considerations:

- Vic Darchinyan was the IBF and IBO World Champion with a record of 27-0, 21 knockouts (KOs). He also has a good amateur boxing record.
- Victor Burgos had a professional boxing record of 39-14-3, 23 knockouts (Kos). He also had a good amateur boxing record.
- Neither Mr. Darchynian nor Mr. Burgos had any untoward pertinent medical conditions, injuries or suspensions on their records that would preclude them from competition anywhere in the world.
- Since February 8, 1999 Mr. Burgos' professional boxing record was 15-2-2 with 11 KOs.
- Mr. Burgos was ranked number 8 in the world by Ring Magazine.
- Mr. Burgos was ranked number 3 by the IBF and was the mandatory challenger
- Mr. Burgos was ranked number 13 by the IBO.
- Mr. Burgos was a former Mexican champion, WBA regional champion, WBO regional champion and the former IBF world champion at light flyweight (108 pounds).
- Mr. Burgos had a solid reputation as a world class boxer who respects the sport by maintaining himself in proper physical condition.

Prior to the bout neither Mr. Darchinyan nor Mr. Burgos were licensed for 2007 by the Commission. For the bout both applied and met all of the licensing requirements. They were then approved to compete against each other. Both submitted successfully completed examinations by approved physicians on approved forms.

Mr. Burgos met all of the licensing requirements by completing an application and paying the fee. He underwent all medical examinations during the time period of February 26 through March 2, 2007 including completing the Medical Questionnaire at the weigh in on March 2.

On March 2, 2007 Mr. Burgos officially weighed in at 111 ¼ pounds. Mr. Darchinyan officially weighed in at 111½ lbs.

On March 3, 2007 the IBF mandated a second day weigh-in that took place the day of the bout. According to the IBF rules the competitors can not gain a determined number of pounds from the previous day's official weigh-in. The IBF conducted this weigh-in at approximately 9:00 AM. Mr. Burgos weighed 1/4 pounds heavier than Mr. Darchinyan. This weigh-in was not supervised by the Commission.

On March 3, 2007 approximately one hour before competing, Mr. Burgos was examined by a Commission approved Physician and was cleared to compete.

Mr. Burgos' weight is consistent with all of his recorded weights for his bouts going back to February 8, 1999. During this time period his weight varied from 107 pounds to 115 pounds.

At the time that the referee stopped the bout I radioed instructions to event inspectors who were strategically stationed at the venue for the event.

Inspector Dave Rasmussen was assigned to Mr. Burgo's corner during the bout. In his report and my interview with him Inspector Rasmussen declared that at no time during the bout did Mr. Burgos appear to be badly injured and or demonstrating signs of wanting to stop competing.

Inspector Mike Bray was stationed at the venue tunnel next to the paramedics. He received and responded to instructions from me that ordered him to direct the paramedics to the ring for immediate transport of Mr. Burgos.

Inspector Ty Trimm was stationed at ringside. He received and responded to instructions from me that ordered him to contact his security liaison to have venue security clear the pathway for the paramedics to transport Mr. Burgos.

Inspectors Bray and Trimm understand the procedure through training and situational discussions at event meetings.

I rehearsed these actions with venue security on March 1, 2007 as part of the standard organizational and security meeting that I conduct for these types of events.

Dr. Paul Wallace also rehearsed these actions with venue security and the paramedics on March 3, 2007.

The inspectors, paramedics and venue security responded appropriately and in a timely manner.

Simultaneously, Dr. Paul Wallace immediately entered the ring to evaluate Mr. Burgos. Inspectors Dave Rasmussen, Dwayne Woodard, Peter Arnold and Mike Bray also entered the ring to assist as needed due to the usual semi chaotic scene that occurs after a high profile event ends. Usually you have anywhere from 12 to 15 persons or more inside the ring. An Inspector's primary role in these cases is to control the immediate area of the downed boxer so that he or she can receive the proper medical attention.

After being examined by Dr. Wallace, Mr. Burgos was laid on a stretcher and taken from the ring to the ambulance by the paramedics.

Based on a review of the videotape and interviews of key personnel it is clear that from the exact moment of the stoppage to the moment that the ambulance left the venue the evacuation process took no more than six minutes. Moreover, it has been clearly determined that Mr. Burgos arrived at the emergency room at the Harbor UCLA Medical Center in no more than twenty minutes.

After the transport Dr. Wallace and I immediately left the venue for the hospital in separate vehicles. We met at the hospital in approximately thirty minutes from the time of the stoppage of the bout.

Approximately one hour later, Dr. Wallace and I spoke to the ER physician. I gave him all of the aforementioned medical records on Mr. Burgos.

It should be noted that the Commission's event preparation process requires that the Event Supervisor has a file in his or her possession that includes all available medical records for each participant. Mr. Burgos' medical records from this file were submitted to the hospital within an hour of the bout stoppage.

Approximately 1 hour and 30 minutes later, Dr. Wallace and I were shown Mr. Burgos' CAT SCAN by the ER physician, who discussed his injuries and told us that he had suffered a potentially life threatening injury.

During the weeks following the event both Dr. Wallace and I attempted to contact the hospital staff and the Burgos team to ascertain his condition. However, the family imposed a total "blackout" and despite the fact that we had an authorization to release medical records, we were unable to obtain any verifiable information.

The Commission complied with the request to not disclose or comment on information and no staff member ever made any statements regarding the matter other than the statement released on March 5, 2007.

I have read a few articles regarding Mr. Burgos' injury that comment on the fact that the bout was not stopped by Mr. Burgos' corner, the referee, and or the ringside physician(s) in a timely manner. In these combative sports situations similar comments are not unusual. Our staff and I reviewed the video of this bout.

Stopping bouts, or not, is the most difficult decision an experienced referee or ringside physician can make.

Although Mr. Burgos was losing the bout he continually kept moving and throwing punches in a concerted effort to score points. It is clear that he was not as successful as he planned. However, he continued making a strong effort up until the time of the stoppage.

In the bout Mr. Burgos went down in round 2 from a body blow. He never went down from a blow to the head during the bout.

In round 11 the referee checked on Mr. Burgos in the presence of his Inspector. Mr. Burgos was reported to be alert and more than willing to continue.

In the last round (round 12) Mr. Burgos appeared to have tripped on his own feet and went down. The referee checked Mr. Burgos and asked him if he wanted to continue. He replied affirmatively. However, as he tried to move away Mr. Burgos wobbled badly. From my position I recognized that this was a clear indication that Mr. Burgos was badly hurt. I then got up from my chair at ringside and motioned clearly to the referee to stop the bout. Simultaneously and unknown to each other, Chief Inspector Dean Lohuis also got up and demonstrated to the referee to stop the bout. After quickly moving into position, the referee stopped the bout.

CONCLUSIONS

Mr. Burgos was qualified to compete. He met all of the licensing requirements. He competed in earnest. His injuries were as a result of his participation in a combative sport.

Mr. Burgos was given precise and timely medical attention that when reviewed on videotape should prove as a model for other commissions. The Commission's event preparation process that includes bout approval, thoroughly reviewing all licensing and medical documents, coordinating with venue personnel, executing the inspector operational plan, and submitting all available medical information to the hospital resulted in a timely response by the Commission to the event and him arriving at the emergency room in no more than 20 minutes from the time of the stoppage. This type of response is vital if one is to give a similarly injured boxer the best chance to receive proper and timely medical attention.

Since the event Mr. Burgos has left the hospital and is now in his hometown in rehabilitation. He is walking and talking on his own and was recently seen attending a boxing event there. He is set for a follow up operation in approximately three weeks.

Although I am very satisfied and proud of the Commission's response to the event, I am concerned that because we have such a large state and that we hold events in very varied areas, the response to a future similar event may be quite difficult because of the long distances one would have to transport an injured participant.

The present response process is sound and we will continue to consistently review it at our Ringside Physician and Inspector training seminars.

I am also concerned that although the commission had an authorization to release medical information the hospital was not forthcoming with information and it was quite difficult to obtain the little information we obtained in the weeks following the event.

It is recommended that staff meet with the Department of Consumer Affairs' Legal Department and the Office of Public Affairs to develop a more detailed plan that includes:

1. Immediate involvement by both departments that includes formally contacting the medical facility and media outlets
2. Developing a reporting format for all parties involved
3. Setting timetables for reporting
4. Holding of a de-briefing meeting with staff

It is also recommended that staff review the following rule:

TITLE 4. BUSINESS REGULATIONS, DIVISION 2. STATE ATHLETIC COMMISSION, ARTICLE 6. PHYSICAL EXAMINATIONS AND SAFETY, § 290. MEDICAL INSURANCE FOR PROFESSIONAL BOXERS.

(a) A promoter shall maintain a short-term medical assistance insurance program, approved by the commission, for professional boxers with whom it contracts for bouts to be conducted in California or shall qualify such boxers for a program which has been approved by the commission. The cost of such insurance program or coverage shall be set forth in the contract between the boxer/manager and the promoter. The promoter shall be responsible for paying any deductible amounts.

(b) "Short term medical assistance insurance," as used in this section, refers to direct expenses of medical treatment, including emergency aid, medical treatment, drugs, operations and physical therapy, arising directly from injuries incurred during a boxing contest in California which has been approved by the commission.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641, 18642 and 18643, Business and Professions Code. HISTORY: 1. Amendment filed 4-12-85; effective thirtieth day thereafter (Register 85, No. 15). 2. Change without regulatory effect of NOTE (Register 87, No. 5).

At this time we require that the promoters have \$50,000 of short-term medical insurance. This amount barely covers a portion of costs in these types of events. In the end, all other medical costs are eventually paid by the State of California taxpayers.

Mr. Burgos's coverage has long elapsed. He receives no money from any other source. According to his caretaker, Mr. Roberto Sandoval, he received only \$1,500 from his promoter of record and existing and future medical costs are being borne by him.

Our Commission is deeply saddened by this event. The staff joins everyone in the boxing community in prayer so that Mr. Burgos survives and returns to as normal a life as possible.

**Prepared by: Armando Garcia
Executive Officer**